

**REMARKS**

In the final Office action dated January 21, 2005, several claims were rejected based on Section 103 and the judicially-created doctrine of obviousness-type double patenting.

An Amendment After Final was mailed on April 14, 2005, in which claims 34, 46, and 69 were amended; claims 39-42, 53-67 and 84 were cancelled; and claims 85-100 were added.

As set forth in the later Advisory Action, "Applicant's reply has overcome the following rejection(s): 103, and Double Patenting rejections;" and that newly proposed or amended claims 34, 68 and 85 would be allowable. However, Applicant's responsive Amendment was not entered because of "the presence of claims 45-47, 51, 69-71, 82, 92-94, and 98 which are not shown in the drawings." The Advisory Action required that these claims be canceled or that corrected drawings with these claimed limitations be submitted.

By the present amendment, claim 34 has been amended; claims 39-42, 45-47, 51, 53-67, 69-71, 82 and 84 have been cancelled; and new claims 85-96 have been added. Claims 34-38, 43-44, 48-50, 52, 68, 72-81, 83, and 85-96 are pending in the present application. Applicant respectfully submits that no fees are associated with this amendment, and respectfully requests reconsideration of the present application.

**SECTION 103 REJECTION**

Claims 34, 36, 38-40, 43, 48-50, 52, 53, 55, 60, 61, 65, 66, 83 and 84 were rejected under Section 103(a) as being unpatentable over Behl in view of Fleischman. Applicant respectfully requests that, consistent with the Advisory Action, the Section 103 rejection be withdrawn in view of the amendments to the claims.

New independent claim 85 has been added to include subject matter from previously presented claims 34, 39, 40 and 41. Accordingly, Applicant respectfully requests that, consistent with the Advisory Action, new independent claim 85, and all claims dependent thereon, be allowed.

**PREVIOUSLY WITHDRAWN CLAIMS 45-47, 51, 69-71, and 82**

The Advisory Action asserts that the subject matter of withdrawn claims 45-47, 51, 69-71, and 82, and new claims 92-94 and 98, are not shown in the drawings. Applicant respectfully submits that the subject matter of claims 45-47, 69-71, and 92-94 is illustrated in at least Figure 20, and that the subject matter of claims 51, 82 and 98 are illustrated in at least Figure 8A. "There is no requirement in the law that every feature recited in a claim must appear in a single figure of the drawing." *In re Muller*, 417 F.2d 1387, 163 USPQ 641 (CCPA 1969).

To the extent that the examiner is asserting that these features are not part of the elected species illustrated in Figures 11 to 15 and 19, Applicant respectfully submits that the inclusion of additional limitations in a claim does not result in a new species. *See In re Muller*, 417 F.2d 1387, 163 USPQ 641 (CCPA 1969) ("Finally it should be noted that

the *addition* of a limitation to a claim, as distinguished from the substitution of a limitation, can never result in a claim to a different species, since species claims must be mutually exclusive in scope." (emphasis in original)). The examiner has not identified any teaching in the specification that these claimed features are excluded from the elected species. These original claim limitations are not new matter.

Nonetheless, to simplify the issues and place the application in condition for allowance, claims 45-47, 51, 69-71, and 82 have been canceled without prejudice, and the new claims have not been resubmitted.

#### CONCLUSION

Applicant respectfully requests favorable reconsideration and allowance of the claims at an early date. If the Examiner has any comments or questions regarding any of the foregoing, kindly telephone the undersigned.

Respectfully submitted,

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